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October 26, 2011

Via ECF

Honorable Joseph F. Bianco
United States District Court
Eastern District of New York
100 Federal Plaza
Central Islip, NY 11722

**Re: *Richard Gravina, et al. v. National Enterprise Systems, Inc.*
USDC ED NY, Case No. 2:09-cv-02942-JFB-AKT**

Dear Judge Bianco:

As you know, my firm SESSIONS, FISHMAN, NATHAN & ISRAEL, LLC, along with Kevin McHugh of the LAW OFFICES OF EDWARD GARFINKEL represent the defendant, National Enterprise Systems, Inc. (NES), in the referenced matter. The purpose of this letter is to inform the Court the class members' claims in *Dawson, Brian C., et al. v. National Enterprise Systems, Inc.*, S.D. Fla., Case No. 10-cv-20264, and *Capote, Rodolfo v. National Enterprise Systems, Inc.*, S.D. Fla., Case No. 10-cv-61140, have been finally resolved and the intervenors have withdrawn their motion. NES' previously filed Objection to Plaintiff's Consent Motion for an Order Certifying Class and Granting Approval of Class Action Settlement and Injunctive Relief (Dkt. 76) is now moot.

NES, therefore, withdraws its objection, and respectfully requests the Court grant the Joint Motion for Preliminary Approval as filed.

Respectfully Submitted,

/s/ Dayle M. Van Hoose

Dayle M. Van Hoose

DMV:elv

cc: All Counsel of Record Via ECF

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